

**LABORATORY CERTIFICATION STANDARDS REVIEW COUNCIL**  
**MEETING MINUTES FROM 9/10/98**

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Attendance

DNR Staff: Jack Sullivan, Mike Kvitrud, Alfredo Sotomayor and Donalea Dinsmore

Council Members: Mary Christie (Chair), Gilbert Williams (Vice-chair), David Kollakowsky, Ruth Klee Marx, Bill Sonzogni, Debbie Cawley, and Russ Janeshek. Bill Bruins and Barb Hill were absent.

Guests: Barb Burmeister (SLH), Paul Harris (Davy Labs), Paul Junio (NET, Inc), Randy Thater (Waukesha WWTP), Greg Zelinka (Madison MSD), Dean Falkner (Sheboygan WWTP) and Bruce Nehm (Madison MSD).

Action Item Summary

- The previous meeting's minutes were accepted with a meeting date correction.
- The Council wanted to see the TAC's full report with the subcommittees' findings before making recommendations regarding National Laboratory Accreditation.
- The next Certification Standards Review Council meeting was tentatively set for either Wednesday, November 4, 1998 or December 2, 1998.

Agenda Items

- I. Approval of May 21, 1998 Meeting Minutes
  - A. The Council corrected the date of the last meeting in the draft minutes.
  - B. **A motion was made to accept the May 21, 1998 meeting minutes with this change, it was seconded and the minutes were unanimously accepted.**
- II. Agenda Repair
  - A. The Chair added an item to the agenda from the previous meeting's action items.
  - B. Jack Sullivan made a proposal which was accepted to move the NELAP discussion to the afternoon when more members would be present.
- III. Laboratory Certification Program Updates
  - A. Jack Sullivan explained the fact sheet which was distributed.
    1. The number of audits closed by central office was high because of the Council's request that audits performed over 2 years ago without a written report be closed and placed on the re-evaluation list by giving them a short closing letter stating only a summary of the audit. This has now been completed.
  - B. Budget Report
    1. The Lab Certification Program has an Approved Spending Authority (ASA) of \$516K for fiscal year (FY) 1999, but was only allowed to collect ~\$440K in fees. The starting balance for FY 1999 was ~\$65K, therefore the program will have a total ~\$505K for FY 1999 and will spend ~\$516K, resulting in a negative balance at the end of the fiscal year.
    2. The Program will need to ask for a substantial fee increase next year to collect up to the spending authority.
  - C. Consecutive Reference Samples Failures
    1. The Lab Certification Program has issued 30 Notices of Non-compliance (NONs) and 17 Notices of Violation (NOVs). Forty four of the violations were for reference sample failures.\*

\* This information has been updated since the Council meeting.

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2. The Chair and Vice-chair of the Council would like to see a breakdown of which analytes are the most problematic.
- D. LabNotes
  1. The Program would like one or two Council members to write regular columns for the LabNotes Newsletter.
  2. **Ms. Christie & Mr. Kollakowsky volunteered to work on the LabNotes articles.**
- IV. Performance Based Measurement System (PBMS) or “Method Flexibility”
  - A. PBMS allows people use and change any procedure as long as it meets the project objectives.
  - B. Modifications cannot be made to method-defined analyses such as DRO, BOD, TSS & HEM.
  - C. There will be reference methods from which method modifications will be judged.
  - D. PBMS will require highly trained auditors to review the method modifications.
  - E. There will be more complex legal and enforcement issues when PBMS is implemented.
  - F. There was a discussion and differing opinions among the group as to whether PBMS would raise or lower data quality.
  - G. Mr. Kollakowsky mentioned many permittees are afraid that permit writers may always choose the method capable of the lowest detection and are concerned about the comparability of the results when method modifications are made.
- V. Amended Agenda Items
  - A. The Council Chair has received comments about the DNR’s internal communication and drafted a letter to the Department addressing some concerns.
- VI. National Laboratory Accreditation Program (NELAP)
  - A. NELAP Technical Advisory Committee (TAC) Update
    1. The 19 member TAC met six times and was asked for recommendations in two areas:
      - a. Should the WDNR become a NELAP accrediting authority?
      - b. Should the NELAC standards be applied towards none, some or all of the labs currently covered by NR 149?
    2. Three subcommittees were formed focusing on a fiscal analysis, a quality systems comparison & a proficiency testing, on-site evaluation and accreditation process comparison.
    3. The TAC recommended by substantial agreement that the WDNR should become a NELAP accrediting authority and that only some of the laboratories currently covered by NR 149 should be NELAP accredited. The TAC recommended that most small municipal and industrial laboratories not be required to become NELAP accredited.
    4. A final report of the TAC’s recommendations will be completed in October and available on the Program’s website.
    5. The Department’s administration will review the TAC’s recommendations and consider the Council’s recommendations as well as the needs of the agency when making a decision on whether or not to become a National Accrediting Authority. If the Department proceeds with the adoption of the NELAC standards, it will draft changes to NR 149 which will go through the full public comment and promulgation processes. This is where the details of implementation would be worked out.
  - B. Discussion of NELAP adoption in Wisconsin
    1. Three letters from TAC members were distributed to the Council. The letters from Mr. Falkner (Sheboygan WWTP), Mr. Zelinka (Madison MSD) & Mr. Kardoskee (De Pere WWTP) were all concerning the TAC’s criteria for selecting labs that would be required to become NELAP accredited.
    2. Ms. Christie asked why the TAC decided some laboratories should not be required to become NELAP accredited. Mr. Sotomayor said some laboratories felt the national

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standards would hinder them.

3. There was a detailed discussion of the criteria which the TAC chose for requiring laboratories to become NELAP accredited. There were differing opinions and concerns in this area, but the group agreed that some labs should be NELAP accredited and some should not.
4. There was a discussion on whether or not NELAP accreditation would raise or lower data quality. The group had differing opinions and could not come to a conclusion on the subject.
5. Several guests requested that the Council review the full TAC report before making any decision on the adoption of NELAP.
6. The Program's staff and some guests stated that this is just the preliminary step. If NELAP adoption occurs, it will need to go through the full rule-making and public comment process which will workout the details of how it will be implemented.
7. **The Council wanted to see the TAC's full report with the subcommittees' findings before making a recommendation on National Accreditation.**

VII. Future Meeting Date

- A. **The next Certification Standards Review Council meeting was tentatively set for either Wednesday, November 4, 1998 or December 2, 1998.**
- B. The program will work with the Chair to set up the next meeting. The Council members should contact the Chair or Vice-chair to get items on the next meeting's agenda.
- C. **A motion was made to adjourn by the Council Chair, it was seconded and unanimously accepted.**

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